

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

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MS “PUCON” Schiffahrtsgesellschaft mbH & Co. KG

Plaintiff,

-against-

Case No.: 4:22-cv-01227

Global American Transport LLC

Defendant.

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**PLAINTIFF’S JOINDER TO DEFENDANT’S MOTION TO DEPOSIT FUNDS HELD
BY GARNISHEE INTO THE REGISTRY OF THE COURT AND PARTIAL
JOINDER TO DEFENDANT’S MOTION TO STAY THE ACTION PENDING
ARBITRATION**

Plaintiff MS “PUCON” Schiffahrtsgesellschaft mbH & Co. KG (“MS PUCON”), by and through its attorneys, Sandberg Phoenix & Von Gontard P.C. and Zeiler Floyd Zadkovich (US) LLP, and pursuant to Local Rule 4.01(b), respectfully submits this memorandum in response to Defendant Global American Transport LLC’s (“GAT”) Motion to Deposit Funds held by Garnishee into the Registry of the Court and Stay the Action pending arbitration (Dkt. No. 52).

**DEFENDANT’S MOTION TO DEPOSIT FUNDS HELD BY GARNISHEE INTO THE
REGISTRY OF THE COURT**

MS PUCON joins GAT’s motion for an Order of the Court directing that the USD 2,120.35 held by Garnishee BMO Harris Bank, N.A. (the “Garnished Funds”) to be deposited into the Registry of the Court in accordance with Local Rule 13.04(a).

DEFENDANT'S MOTION TO STAY ACTION PENDING ARBITRATION

MS PUCON does not object to GAT's request to stay the proceedings. MS PUCON, however, respectfully requests that this stay not be effective until such time as the Garnished Funds have been deposited into the registry of the Court. Further, MS PUCON respectfully requests that such order granting a stay of the action pending arbitration, permit leave to vacate in the event of changed circumstances.

Dated: May 12, 2023

SANDBERG PHOENIX & von GONTARD P.C.

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(Pro hac vice filing forth coming)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been filed electronically on the 12th day of May 2023.

/s/Steven T. Walsh
Steven T. Walsh